

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 15455

PERMIT 9598

LICENSE 4611

ORDER TO CORRECT DESCRIPTION OF THE POINT OF DIVERSION,
ADD TO THE PURPOSE OF USE, REDUCE
THE PLACE OF USE AND AMEND THE LICENSE

WHEREAS:

1. License 4611 was issued to Frank L. Gegax and Lorena Gegax and was filed with the County Recorder of San Diego County on April 29, 1957.
2. License 4611 was subsequently assigned to Ken Taylor.
3. A request to correct the description of the point of diversion of the reservoir, add wildlife enhancement to the purpose of use and reduce the place of use from 10 acres to $4\frac{1}{2}$ acres under said license has been filed with State Water Resources Control Board.
4. The State Water Resources Control Board has determined that said correction in the description of the point of diversion, adding wildlife enhancement use and reducing the place of use will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said correction.
5. The license condition pertaining to the continuing authority of the Board shall be revised to conform to standard license Term 12 as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of diversion under the license be:

At the reservoir: South 850 feet and West 350 feet from NE corner of Section 22, T14S, R2W, SBB&M, being within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 22 and also described as N 284,950 and E 1,749,500 California Coordinate System, Zone 6.

2. The purpose of use under the license shall be:

Irrigation and Wildlife Enhancement

3. The place of use under the license be reduced to:

Wildlife Enhancement at the reservoir located within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 and irrigation of $4\frac{1}{2}$ acres of land within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22, all being within T14S, R2W, SBB&M.



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15455

PERMIT 9598

LICENSE 4611

THIS IS TO CERTIFY, That Frank L. Gegax and Lorena Gegax

Notice of Assignment (Over)

P.O. Box 69
Poway, California

has made proof as of May 11, 1956

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Beeler Canyon in San Diego County

tributary to Los Penasquitos Creek

for the purpose of irrigation use

under Permit 9598

of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from August 10, 1953; and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed twenty (20) acre-feet per annum to be diverted to storage from about November 1 of each year to about August 1 of the succeeding year.

The maximum rate of diversion to off-stream storage has been one (1) cubic foot per second.

The point of diversion of such water is located south one thousand two hundred fifty (1250) feet and west two hundred sixty (260) feet from NE corner of Section 22, T 14 S, R 2 W, SBB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 22.

A description of the lands or the place where such water is put to beneficial use is as follows:

Irrigation of 10 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22, T 14 S, R 2 W, SBB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

COVERED BY LICENSE ORDER NO. 16

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

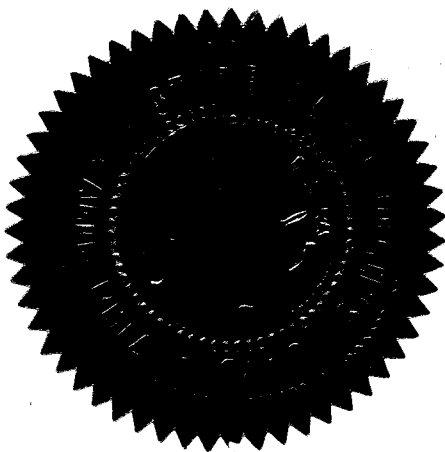
Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

APR 24 1957

Dated:

STATE WATER RIGHTS BOARD

By *Leslie C. Jopson*
Leslie C. Jopson
Chief Engineer



*11-4-64 - Int of Frank L. Gegax to
to Lorena Gegax;*

6-12-70 Received NOTICE OF ASSIGNMENT TO *Helen Lord Cowles Bell;*

5-18-81 Asgd to Lois Wesley
8-30-84 Asgd to Rex Taylor

LICENSE 4611

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO *Frank L. Gegax and
Lorena Gegax*
DATED *APR 24 1957*

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